

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

FILED  
4/1/22 2:18 pm  
CLERK  
U.S. BANKRUPTCY  
COURT - WDP

In re:	:	Case No.:	19-20911-GLT
	:	Chapter:	13
Ashley M. Yohe	:		
	:		
	:	Date:	3/31/2022
<i>Debtor(s).</i>	:	Time:	10:30

**PROCEEDING MEMO**

**MATTER:** #127 Debtor's Motion to Approve Mortgage Refinance  
#131 Response by Trustee

**APPEARANCES:**

Debtor:	Lauren M. Lamb
Trustee:	Owen Katz
Andrews Federal	
Credit Union:	Lysa Simon

**NOTES:** [11:07 a.m.]

Lamb: The real concern is that the second mortgage is interest only.

Court: Can you address the trustee's objections?

Lamb: We are just couching the closing costs because we are only working with estimates. We can amend the order to state that the Debtor is not going to receive any cash at closing. Debtor just wants to ensure that this refinancing gets done.

Court: What is the breakdown of the closing costs?

Lamb: I have not seen that.

Katz: We would like to see an itemization of the closing costs. The trustee would also like to ensure that the mortgage payments are paid through the trustee, and not outside of the plan.

Court: It sounds like there is no real opposition to refinancing, but the parties need to finalize the details.

Simon: I did not receive the trustee's objections. The closing costs were detailed and given to the Debtor. The closing costs include taxes, notary fees, appraisal fees, but origination fees are not included. They only cover out-of-pocket expenses. We have seen havoc from the trustee's payment system, and it requires a lot of manpower to police. We ask that the Debtor be able to make the payments outside of the plan.

Court: How soon can the parties work out a proposed form of order?

Simon: I can provide the breakdown of the closing costs by Monday, April 4. The interest rate lock was extended through April 21, 2022.

Court: I am mindful that we have had a lot of accounting issues in this case. I am inclined to approve this with the payments coming from the trustee. I am open to revisiting this in six months if there are issues.

Simon: Can the trustee be directed to pay the exact amount required?

Katz: If it is included in the order, the trustee will comply with the order.

Court: I am going to leave the timing up to the Debtor. One week is reasonable.

**OUTCOME:**

1. The *Debtor's Motion to Approve Mortgage Refinance* is APPROVED, subject to the parties filing a proposed order under certification of counsel on or before April 8, 2022. [Text Order]

**DATED:** 3/31/2022

